

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES 1 8	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 28-May-2004		4. REQUISITION/PURCHASE REQ. NO. W81G66-3261-0518		5. PROJECT NO.(If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE W912P6		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. W912P6-04-R-0001	
				X		9B. DATED (SEE ITEM 11) 10-May-2004	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u> 1 </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Reference Solicitation No. W912P6-04-R-0001 for Deer Creek Flood Control Project, Ford Heights, Illinois. 1. Section 00100, Procedures for Submittal of Offers, Paragraph 2.6 is amended to indicate that proposals shall be received by the Corps of Engineers not later than the time and date specified in Block 13 of the Standard Form 1442 as shown in the Summary of Changes. 2. Section 00100, Clause 52.222-23, Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity for Construction (FEB 1999), paragraph (e) is amended to include, as the "covered area," Ford Heights, Cook County, Illinois as shown in the Summary of Changes. Continued on next page.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 27-May-2004	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

The following items are applicable to this modification:

3. Section 00700 is amended to include by reference the following clause, 52.228-5, Insurance – Work on a Government Installation (JAN 1997) as shown in the Summary of Changes.
4. The point of Contact for this Amendment is David Dilks at 312-846-5373.

SUMMARY OF CHANGES

SECTION 00100 - BIDDING SCHEDULE/INSTRUCTIONS TO BIDDERS

The following have been modified:

PROCEDURES FOR SUBMITTAL OF OFFERS

1.0 NOTICE TO OFFERORS

Acquisition Method: The method of acquisition for this procurement considers the best value continuum, wherein the Lowest Price, Technically Acceptable (LPTA) source selection process will be utilized in accordance with the Federal Acquisition Regulation (FAR) Subpart 15.101-2.

2.0 PREPARING PROPOSALS

- 2.1 Proposal Submittal Information. Offerors submitting proposals for this project should limit submissions to data essential for evaluation of proposals so that a minimum of time and monies will have been expended in preparing information required herein. However, in order to be effectively and equitably evaluated, Offerors must include, for each phase as appropriate, information that is sufficiently detailed to describe the Offeror's qualifications and experience, implementation and maintenance features of the proposal, and monitoring capabilities to successfully complete the project. Material indicated in the plans and specifications but not included in the Offeror's specifications will be assumed to be included and a part of the proposal. Requirements stated in this Request for Proposals (RFP) are minimums. Proposals that meet or exceed these requirements are encouraged and will be rated accordingly.
- 2.2 Submittal Certification. Offerors shall certify that all items submitted in proposals and final design documents (after contract award) comply with the requirements of the Plans and Specifications. The criteria specified in this RFP criteria and contractor's submittals, the RFP criteria shall govern unless there is a written agreement between the Contracting Officer and the contractor on the waiving of a specific requirement.
- 2.3 Project Site Examination. Prospective Offerors are expected to visit the sites of the work in order to acquaint themselves as to site conditions, constraints, and other problems incidental to the prosecution of the work; and to ensure that the proposed prices accurately reflect the level and context of work required under this contract. In no event will failure to inspect the site constitute grounds for a claim after contract award.
- 2.4 Who May Submit. The intent of this solicitation is to select one contractor to perform channel widening and clearing along Deer Creek; excavating two shallow reservoirs complete with a concrete spillway, three 36-inch reinforced concrete pipe culverts with pre-cast flared end sections and trash racks; three concrete headwalls with 36-inch flap gates; installation of native plants; maintenance of site cleanliness and safety; quick response to problems or

issues; and protection of existing resources. This worksite is located at Deer Creek in Ford Heights, Illinois. Firms formally organized as joint ventures may submit proposals.

2.5 Where to Submit. Offerors shall submit all original proposals to:

Chicago District, Corps of Engineers
ATTN: David Dilks, CELRC-CT
111 N. Canal Street, Suite #600
Chicago, IL 60606

2.6 Submission Deadline. Proposals shall be received by the Corps of Engineers not later than the time and date specified in Block 13 of the Standard Form 1442. All information requested in Paragraphs 2.9 (below) must be submitted for the proposal to be considered competitive.

2.7 The Offeror is required to submit a Bid Guarantee along with the Offeror's proposal. It shall be included in Volume II – Price Proposal. Because the Government intends to make an award without discussions, noncompliance with the solicitation requirement for a bid guarantee requires rejection of an initial proposal as unacceptable except under exceptional circumstances.

2.8 Technical Quality Evaluation and Rating of Proposals. Offerors are advised that the technical evaluation and rating of proposals are conducted in strict confidence in that technical evaluation personnel review and rate each proposal without knowledge of the price offered. Offerors are required to segregate their cost and pricing information from the technical quality parts of the proposal.

2.9 Submission Format and Number of Submittals. All proposal materials shall be submitted in binders with a table of contents and tabbed section dividers. The section should parallel the submission requirements identified below. Volume I shall be submitted in original and five copies. Volume II shall be submitted in original only and shall be placed in a clearly marked envelope.

VOLUME I – Technical Proposal

Original and 5 Copies

VOLUME II – Price Proposal

Original Only

All proposals shall contain the volume number and the name, address and telephone number of the Prime and Subcontractors, Joint Venture, or other entity identified on the cover. Proposal clarity and material organization in each volume are mandatory. No material shall be incorporated by reference.

Each volume will be submitted separately bound. The proposal shall address and contain the information listed below in paragraphs 3.0 and 4.0. The information will be used by the Source Selection Board to evaluate each proposal. Offerors are advised that conciseness and relevance of the proposal is important and unrelated information will not be evaluated. Proposals should provide more than superficial coverage of the information required below. Additionally, should the proposal include any standard company terms and conditions that conflict with the terms and conditions of the solicitation, the proposal may be determined to be "unacceptable" and thus ineligible for award.

- 2.10 Size of Printed Materials. Pages containing text shall be submitted on 8-1/2 x 11 inch paper. Each page shall be single spaced with a minimum 12 point font and one inch margins all around. Drawings or other graphics shall be reduced only to the extent legibility is not lost.
- 2.11 Proposal Cost. The Government is not liable for any costs incurred by the Offeror submitting an offer in response to this Solicitation.

3.0 TECHNICAL/QUALITY PROPOSAL (VOLUME I)

- 3.1 Past Performance. The Offeror will be evaluated on the ratings in the Construction Contractor Appraisal Support System (CCASS) unless the contractor has less than three ratings exist in the system. If the Offeror has less than three ratings in CCASS, the Offeror must submit three projects relevant to the work described for this procurement of which the firm has worked on. Ensure to include project descriptions. The firm must provide three references that include contact names and phone numbers.
- 3.2 Demonstrated ability to excavate 2,000 cubic yards of material per 10-hour day. The Offeror must provide documentation of at least two projects within the last five years that demonstrate the ability to excavate 2,000 cubic yards of material per 10-hour day.
- 3.3 Demonstrated ability to haul 2,000 cubic yards of excavated material to disposal site per 10 hour day. The Offeror must provide documentation of at least two projects within the last five years that demonstrate the ability to haul 2,000 cubic yards of excavated material to disposal site per 10 hour day.
- 3.4 Experience working below water level or groundwater level under conditions of hydrostatic pressure. The Offeror must provide documentation of at least one project within the last five years that demonstrate Experience working below water level or groundwater level under conditions of hydrostatic pressure.
- 3.5 Experience with similar projects. The Offeror must provide documentation of at least two projects, with no time frame limits, that demonstrate experience with similar projects.
- 3.6 Experience coordinating with an MBE/WBE component to carry out activities. The Offeror must provide documentation of at least two projects, with no time frame limits, that demonstrate experience coordinating with an MBE/WBE (Minority Business Enterprise/Woman Owned Business Enterprise) component to carry out activities.
- 3.7 Experience building cast-in-place concrete structures. The Offeror must provide documentation of at least two projects, with no time frame limits, that demonstrate experience building cast-in-place concrete structures.
- 3.8 Experience working under cold weather conditions. The Offeror must provide documentation of at least three projects, within the last five years, that demonstrate experience working under cold weather conditions.

4.0 PRICE (VOLUME II)

A Bid Guarantee is required under this solicitation and shall be submitted in Volume II. The amount of the Bid Guarantee shall be 20 (twenty) percent of the bid price or \$3,000,000.00, whichever is less.

Price will be evaluated for fairness and reasonableness through the use of price analysis. Price will also be checked for unbalancing of line items. Offerors are cautioned to distribute costs appropriately as shown on the bid schedule (See Section 00010 of this Solicitation). The pricing format shall mirror the bid schedule.

52.222-23 NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (FEB 1999)

(a) The offeror's attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for Construction clause of this solicitation.

(b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for minority participation for each trade	Goals for female participation for each trade
19.6%	6.9%

These goals are applicable to all the Contractor's construction work performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, the Contractor shall apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the Federal Register in notice form, and these notices may be obtained from any Office of Federal Contract Compliance Programs office.

(c) The Contractor's compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 shall be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled "Affirmative Action Compliance Requirements for Construction," and (3) its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade. The Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

(d) The Contractor shall provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance, U.S. Department of Labor, within 10 working days following award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the --

- (1) Name, address, and telephone number of the subcontractor;
- (2) Employer's identification number of the subcontractor;
- (3) Estimated dollar amount of the subcontract;
- (4) Estimated starting and completion dates of the subcontract; and
- (5) Geographical area in which the subcontract is to be performed.

(e) As used in this Notice, and in any contract resulting from this solicitation, the "covered area" is **Ford Heights, Cook County, Illinois.**

(End of provision)

SECTION 00700 - CONTRACT CLAUSES

The following have been added by reference:

52.228-5	Insurance - Work On A Government Installation	JAN 1997
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(End of Summary of Changes)